

# **EXHIBIT J**



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August 29, 2022

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*Via E-Mail [alex@akbuildtools.com](mailto:alex@akbuildtools.com)*

Mr. Alex Rice  
d/b/a AK Build Tools  
1315 24th Avenue  
Sidney, Nebraska 69162  
Tel.: (308) 250-0769

***Re: Notice of Violation of Franklin Armory's Intellectual Property Rights by AK Build Tools***

Dear Mr. Rice:

Our Firm represents Franklin Armory, Inc. and Franklin Armory Holdings, Inc. (collectively, "Franklin") in the protection of their intellectual property rights. Franklin has spent a considerable amount of time and money developing and protecting its patent and trademark rights related to its pull-release trigger products.

**U.S. Patent No. 10,393,461**

We understand that on or about April 27, 2020, Franklin sent a letter that notified AK Build Tools ("AK Build") that its pull-release trigger, i.e., the "Binary Boogie Hook," infringes U.S. Patent 10,393,461 ("the '461 patent") and requested that AK Build cease selling and manufacturing that product. Franklin also requested that if AK Build believed that it was not infringing this patent, that it contact Franklin to further discuss AK Build's basis for that belief. We understand that AK Build summarily denied infringement, and rejected Franklin's offer to further discuss the basis of AK Build's denial.

From its continuing investigation and as demonstrated by the enclosed claim chart comparing a representative claim of the '461 patent to AK Build's Boogie Hook pull-release trigger, Franklin believes that AK Build is infringing the '461 patent by making, using, selling and/or offering for sale, as well as instructing AK Build's customers to use AK Build's product. We understand that AK Build continues to sell the Boogie Hook as a separate component, which requires the end user to modify the trigger in order to take advantage of the pull-release firing capability. Please note that this approach will not protect AK Build from liability.

As you may know, making, using, offering to sell, selling, and importing a patented invention in the United States all constitutes patent infringement. 35 U.S.C. § 271(a). However, liability for patent infringement also extends to those who actively induce patent infringement by another.

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35 U.S.C. § 271(b). Selling or offering to sell a material component of a patented device with knowledge that the component is especially made or adapted for use in infringing the patent also gives rise to liability for patent infringement where the component has no substantial non-infringing uses. 35 U.S.C. § 271(c).

AK Build's Boogie Hook pull-release trigger product satisfies both tests for indirect infringement under 35 U.S.C. §§ 271(b) and 271(c). AK Build's instructions on how to modify the trigger to use the advertised binary firing capability, which AK Build publishes on its website, represent clear evidence that the company has induced infringement by selling its Boogie Hook trigger component. *See, e.g., AK Binary Boogie Hook Instructions (available at <http://www.akbuildtools.com/BBHInstructions.pdf>).* AK Build is also liable for contributory infringement, as the Boogie Hook: (a) constitutes a material component of the pull-release trigger system covered by Franklin's patent; (b) is specially adapted for use in the infringing system; and (c) has no substantial non-infringing uses. No customer would purchase the Boogie Hook trigger unless they intended to take advantage of its infringing pull-release firing functionality.

As you may know, previous challenges to the '461 patent have been unsuccessful. Most recently, in response to a challenge filed by another company, the U.S. Patent and Trademark Office reexamined the claims of the '461 patent and concluded that the claims were not invalid. That case ended with a judgment that the company's products infringed Franklin's patent and a permanent injunction preventing the company from selling its infringing products. While Franklin would prefer to resolve this issue without litigation, Franklin has invested a great deal of time and energy into developing its innovative products and will take appropriate action to protect its patent rights.

#### **U.S. Trademark Registration Nos. 6,272,568 and No. 6,293,943**

This letter also provides notice of AK Build's infringement of U.S. Trademark Registration No. 6,272,568 for the word mark "BINARY" and U.S. Trademark Registration No. 6,293,943 for the word mark "BINARY FIRING SYSTEM" (collectively "the Binary® Marks"). Franklin has invested a substantial amount of money in the advertising and promotion of its pull-release triggers that it sells using the Binary® Marks. As a result, the Binary® Marks have generated substantial goodwill and market-recognition for Franklin's unique and innovative products.

AK Build's use of the Binary® Marks as part of its product named the "Binary Boogie Hook" violates the Lanham Act. In particular AK Build's use of a competitor's registered mark in the promotion of a competing product constitutes trademark infringement under 15 U.S.C. § 1114(1) and unfair competition under 15 U.S.C. § 1125(a). Consequently, AK Build must immediately:

- Cease all uses of the Binary® Marks in association with the marketing, sale, distribution, or identification of your products and/or services.
- Remove the Binary® Marks from all product packing, videos, promotional materials and instructions on the manufacturing of these products.

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- Remove the Binary® Marks from all webpages that AK Build owns or controls, including at <http://www.akbuildtools.com/> and from any relevant search engine sites (such as, Google – \*AdWords);
- Remove the Binary® Marks from all social media accounts that AK Build owns or controls, including but not limited to YouTube, Facebook, and Instagram.
- Destroy all printed materials and packaging with the infringing mark displayed thereon.

We ask that AK Build furnish adequate proof and certify that it has completed the foregoing and ceased the use of the Binary® Marks within ten (10) business days from the date of this letter.

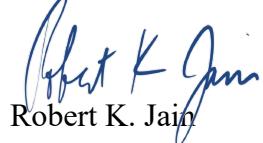
\* \* \*

This letter constitutes notice of Franklin's legal rights and is written without waiver of any rights and remedies that Franklin may assert to protect its intellectual property, reputation and business interests if an amicable business solution cannot be reached. If you have already engaged counsel with regard to these issues, please provide contact information for your attorney so that we can deal with him or her directly. Otherwise, please contact me using the contact information provided above if you have any questions or wish to further discuss any of the foregoing.

Sincerely,

HOPKINS & CARLEY

A Law Corporation

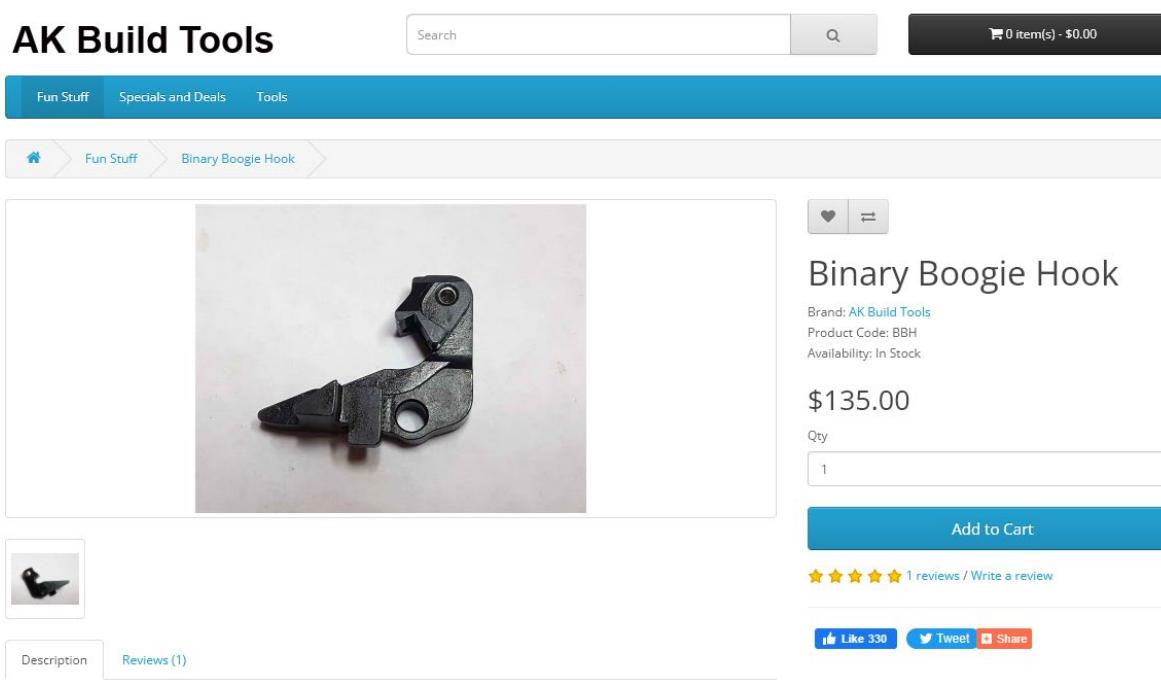


Robert K. Jain

RKJ

cc: Jeffrey M. Ratinoff

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

| Claim 1   | AK Build "Binary Boogie Hook"  |
|---|--|
| 1. A trigger group for a firearm, the trigger group comprising: | <p>AK Build Tools' "Binary Boogie Hook" is designed to enable pull-release fire in AK model firearms. See <a href="http://www.akbuildtools.com/index.php?route=product/product&amp;path=59&amp;product_id=50">http://www.akbuildtools.com/index.php?route=product/product&amp;path=59&amp;product_id=50</a>.</p>  |

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

AK Build Tools provides customers with instructions for the installation and use of the "Boogie Hook."

**AK BINARY BOOGIE HOOK INSTRUCTIONS**

July 15, 2019

Figure 4



*See <http://www.akbuildtools.com/BBHinstructions.pdf> (showing AK trigger group with Boogie hook).*

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

|  |   |
|--|---|
| <p>a hammer movable between a cocked position and a striking position;</p> | <p>The Boogie Hook trigger group includes "a hammer movable between a cocked position and a striking position."</p>  <p><b>Hammer in cocked position</b></p>  <p><b>Hammer in striking position</b></p> <div data-bbox="544 1188 1121 1307" style="border: 1px solid black; padding: 5px;"><p>Binary Boogie Hook Manual Demonstration<br/>3,608 views • Jul 24, 2021</p></div> <p><a href="https://www.youtube.com/watch?v=PFnvvPIY9-w">https://www.youtube.com/watch?v=PFnvvPIY9-w</a> (at 1:04; demonstrating pull-release mode)</p> |
|--|---|

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

|   |   |  |
|---|---|--|
| the hammer being biased toward the striking position; | <p>The Boogie Hook trigger group includes "the hammer being biased toward the striking position."</p> <p>Figure 4</p>  <p>"AK Binary Boogie Hook Instructions" (available at <a href="http://www.akbuildtools.com/BBHinstructions.pdf">http://www.akbuildtools.com/BBHinstructions.pdf</a>).</p> |  |
|---|---|--|

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

|  |   |
|--|---|
| the hammer having a<br><b>first hammer hook;</b> | <p>The Boogie Hook trigger group includes "the hammer having a first hammer hook."</p> <p>Figure 6<br/>AFTER REMOVAL OF HAMMER MATERIAL</p>  <p>"AK Binary Boogie Hook Instructions" (available at <a href="http://www.akbuildtools.com/BBHinstructions.pdf">http://www.akbuildtools.com/BBHinstructions.pdf</a>).</p> |
|--|---|

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

the hammer having a  
**second hammer hook;**

The Boogie Hook trigger group includes "the hammer having a second hammer hook."

Figure 4



"AK Binary Boogie Hook Instructions" (available at <http://www.akbuildtools.com/BBHinstructions.pdf>).

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

|   |   |
|---|---|
| a trigger element movable by a user between a rest position and an actuated position; | <p>The Boogie Hook trigger group includes “a trigger element movable by a user between a rest position and an actuated position.”</p> <p><b>Binary Boogie Hook.</b></p>  <p><b>trigger actuated</b></p>  <p><b>trigger at rest</b></p> <p>“Binary boogie hook” (available at <a href="https://www.reddit.com/r/ak47/comments/i4d0rs/binary_boogie_hook/">https://www.reddit.com/r/ak47/comments/i4d0rs/binary_boogie_hook/</a>).</p> |
|---|---|

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

a movable **sear** responsive to movement of the trigger element and operable to engage **the first hammer hook** to restrain the hammer in the cocked position when the trigger element is in the rest position, and in response to pulling the trigger element to the actuated position to release the hammer to the striking position to discharge the firearm;

The Boogie Hook trigger group practices this limitation of the '461 patent.



AK-47 - How this rifle works! (Animation)

11,395,060 views • Sep 30, 2018

See <https://www.youtube.com/watch?v=ZyajvvsuGcU> (depicting movable sear engaged with first hammer hook in standard model AK-47).

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

a **selector** movable between at least a **first position**, a **second position**, and a **third position**;

The Boogie Hook trigger group practices this limitation of the '461 patent

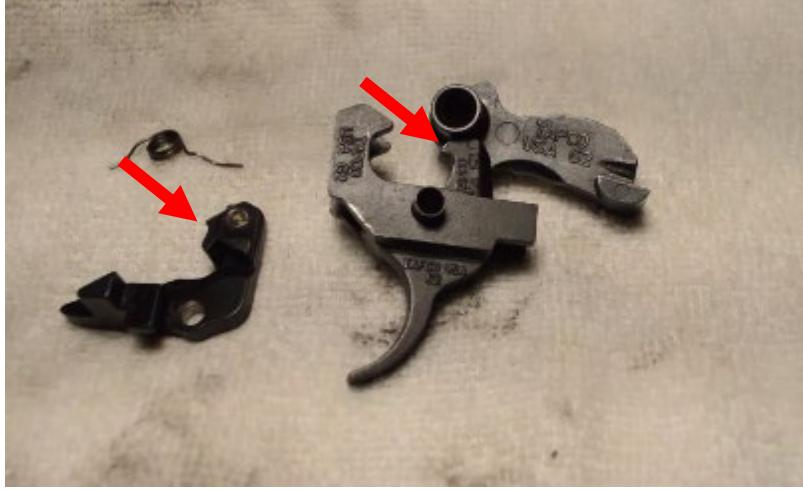
Figure 2



**First, second and third positions**

"AK Binary Boogie Hook Instructions" (available at <http://www.akbuildtools.com/BBHinstructions.pdf>).

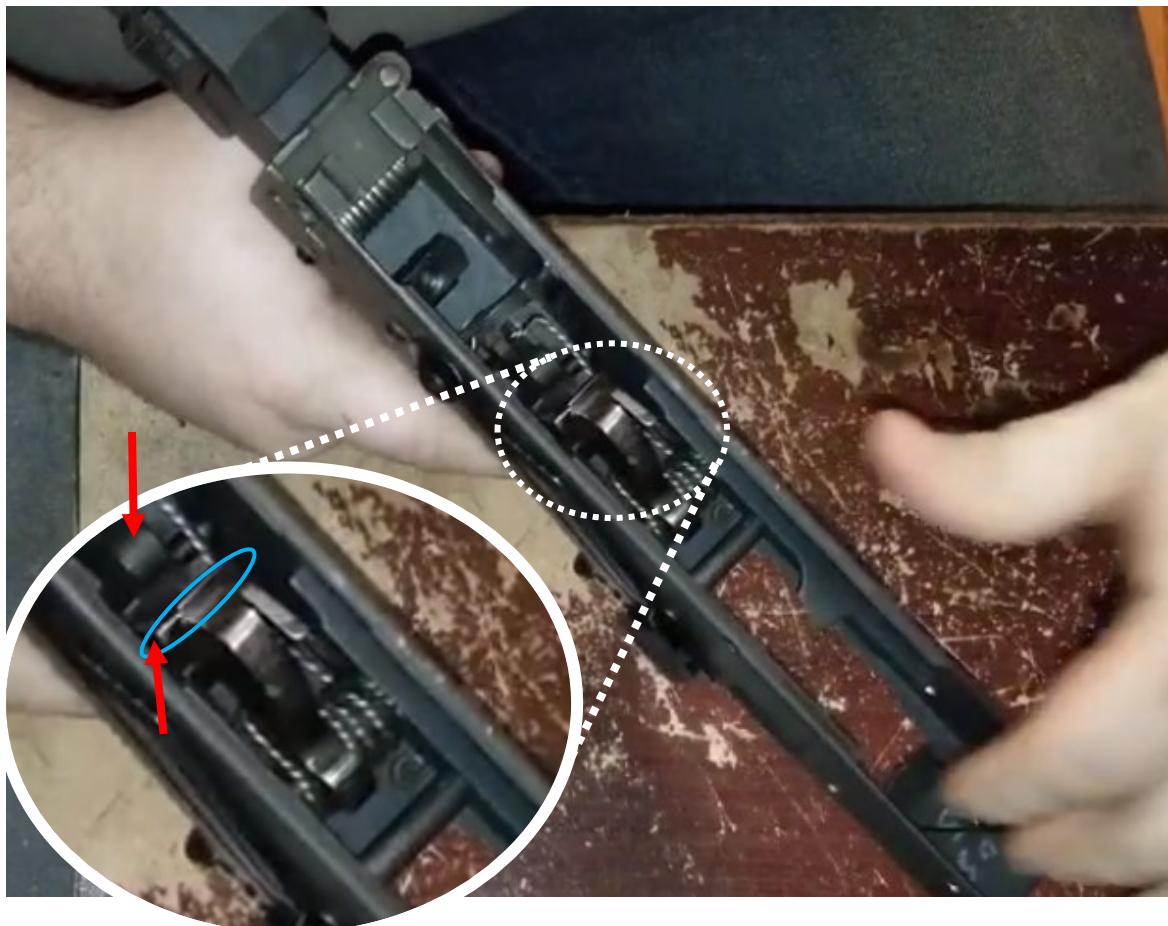
**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

|  |   |
|--|---|
| <p>a disconnector assembly operably connected to the selector and comprising <b>a plurality of disconnector hooks</b> configured to selectively engage the second hammer hook;</p> | <p>The Boogie Hook trigger group practices this limitation of the '461 patent.</p>  <p>"Boogie hook intro" (available at <a href="https://forum.full30.com/t/boogie-hook-inro/14728">https://forum.full30.com/t/boogie-hook-inro/14728</a>; depicting Boogie Hook trigger group in disassembled state).</p>  <p>"Boogie hook spring" (available at <a href="https://www.youtube.com/watch?v=-vhSy6efin0">https://www.youtube.com/watch?v=-vhSy6efin0</a>; depicting Boogie Hook in partially assembled state).</p> |
|--|---|

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

the disconnector assembly operable when the selector is in the first position to retain the hammer in the cocked position in response to release of the trigger element to the rest position subsequent to discharge of the firearm by pulling the trigger element, by engagement of the **second hammer hook** with **one of the plurality of disconnector hooks;**

The Boogie Hook trigger group practices this limitation of the '461 patent.



Binary Boogie Hook Manual Demonstration

3,608 views • Jul 24, 2021

<https://www.youtube.com/watch?v=PFnvvPIY9-w> (at 0:34; demonstrating semi-auto mode)

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

the disconnector assembly operable when the selector is in the second position to release the hammer to the striking position in response to release of the trigger element to the rest position subsequent to discharge of the firearm by pulling the trigger element, by release of the second hammer hook by another one of the plurality of disconnector hooks, such that the firearm discharges once per cycle of the trigger element when the selector is in the first position, and twice for each rearward-forward motion sequence of the trigger element when the selector is in the second position;

The Boogie Hook trigger group practices this limitation of the '461 patent.



**Pull-release mode:**

**Second hammer hook engaged with disconnector hook prior to release (view of disconnector obstructed by receiver sidewall)**



**Hammer releases to striking position in response to release of the trigger element**

<https://www.youtube.com/watch?v=PFnvvPIY9-w> (at 1:04; demonstrating pull-release mode)

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

the selector operating when in the third position to prevent discharge of the firearm in response to an application of force on the trigger element; and

The Boogie Hook trigger group practices this limitation of the '461 patent.



**Binary Boogie Hook Manual Demonstration**

3,608 views • Jul 24, 2021

<https://www.youtube.com/watch?v=PFnvvPIY9-w> (at 0:53; demonstrating safe mode; hammer cannot move to striking position)

**Exemplary Infringement Analysis of U.S. Patent 10,393,461 by AK Build Tool's "Binary Boogie Hook"**

wherein the selector is rotatable about a single axis.

The Boogie Hook trigger group practices this limitation of the '461 patent.

Figure 2



Figure 7



**Single axis of rotation**

"AK Binary Boogie Hook Instructions" (available at <http://www.akbuildtools.com/BBHinstructions.pdf>).